

(b) The department may not issue an identification card to a person previously issued an operator's license in another jurisdiction unless the person surrenders to the department any valid operator's license possessed by the person issued by another jurisdiction, which surrender operates as a cancellation of the license insofar as the person's privilege to operate a motor vehicle in this state is concerned. Within 30 days following issuance of the identification card under this section, the department shall destroy any operator's license surrendered under this paragraph and report to the jurisdiction that issued the surrendered operator's license that the license has been destroyed and the person has been issued an identification card in this state.

(c) The department may issue a receipt to any applicant for an identification card, which receipt shall constitute a temporary identification card while the application is being processed and shall be valid for a period not to exceed 60 days. If the application for an identification card is processed under the exception specified in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

***-0321/2.23* SECTION 3274.** 343.50 (1) (c) of the statutes is created to read:

343.50 (1) (c) The department may issue a receipt to any applicant for an identification card, which receipt shall constitute a temporary identification card while the application is being processed and shall be valid for a period not to exceed 60 days.

***-0321/2.24* SECTION 3275.** 343.50 (3) of the statutes is amended to read:

343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY". The information on the card shall be the same as specified under s.

1 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
2 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
3 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
4 card shall contain the holder's photograph and, if applicable, shall be of the design
5 specified under s. 343.17 (3) (a) 12.

6 ***-0321/2.25* SECTION 3276.** 343.50 (3) of the statutes, as affected by 2007
7 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
8 read:

9 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size
10 as an operator's license but shall be of a design which is readily distinguishable from
11 the design of an operator's license and bear upon it the words "IDENTIFICATION
12 CARD ONLY." The information on the card shall be the same as specified under s.
13 343.17 (3). If the issuance of the card requires the applicant to present any
14 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
15 front side of the card, a legend identifying the card as temporary. The card shall
16 contain physical security features consistent with any requirement under federal
17 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may
18 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
19 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall
20 contain the holder's photograph and, if applicable, shall be of the design specified
21 under s. 343.17 (3) (a) 12.

22 (b) If an identification card is issued based upon the exception specified in s.
23 343.165 (7), the card shall, in addition to any other required legend or design, be of
24 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or
25 identical to the marking described in s. 343.03 (3r).

1 ***-0315/2.4* SECTION 3277.** 343.50 (4) of the statutes is amended to read:

2 343.50 (4) APPLICATION. The application for an identification card shall include
3 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
4 and (er), and such further information as the department may reasonably require to
5 enable it to determine whether the applicant is entitled by law to an identification
6 card. The Except with respect to renewals by mail or electronic means as authorized
7 under sub. (6), the department shall, as part of the application process for original
8 issuance or renewal of an identification card, take a photograph of the applicant to
9 comply with sub. (3). ~~No application may be processed without the photograph being~~
10 ~~taken.~~ Misrepresentations in violation of s. 343.14 (5) are punishable as provided in
11 s. 343.14 (9).

12 ***-0321/2.26* SECTION 3278.** 343.50 (4) of the statutes is amended to read:

13 343.50 (4) APPLICATION. The application for an identification card shall include
14 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
15 and (er), and such further information as the department may reasonably require to
16 enable it to determine whether the applicant is entitled by law to an identification
17 card. The Except as provided in sub. (4g), the department shall, as part of the
18 application process, take a photograph of the applicant to comply with sub. (3). ~~No~~
19 Except as provided in sub. (4g), no application may be processed without the
20 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
21 punishable as provided in s. 343.14 (9).

22 ***-0315/2.5* SECTION 3279.** 343.50 (4) of the statutes, as affected by 2007
23 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
24 read:

1 343.50 (4) APPLICATION. The application for an identification card shall include
2 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
3 and (es), and such further information as the department may reasonably require to
4 enable it to determine whether the applicant is entitled by law to an identification
5 card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by
6 mail or electronic means as authorized under sub. (6), the department shall, as part
7 of the application process for original issuance or renewal of an identification card,
8 take a digital photograph including facial image capture of the applicant to comply
9 with sub. (3). Misrepresentations in violation of s. 343.14 (5) are punishable as
10 provided in s. 343.14 (9).

11 ***-0321/2.27* SECTION 3280.** 343.50 (4) of the statutes, as affected by 2007
12 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
13 read:

14 343.50 (4) APPLICATION. The application for an identification card shall include
15 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
16 and (es), and such further information as the department may reasonably require to
17 enable it to determine whether the applicant is entitled by law to an identification
18 card. Except with respect to renewals described in s. 343.165 (4) (d) and except as
19 provided in sub. (4g), the department shall, as part of the application process, take
20 a digital photograph including facial image capture of the applicant to comply with
21 sub. (3) (a). Except with respect to renewals described in s. 343.165 (4) (d) and except
22 as provided in sub. (4g), no application may be processed without the photograph
23 being taken. Misrepresentations in violation of s. 343.14 (5) are punishable as
24 provided in s. 343.14 (9).

25 ***-0321/2.28* SECTION 3281.** 343.50 (4g) of the statutes is created to read:

1 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an
2 identification card is processed under the exception specified in s. 343.165 (7), the
3 application may be processed and the identification card issued or renewed without
4 a photograph being taken of the applicant if the applicant provides to the department
5 an affidavit stating that the applicant has a sincerely held religious belief against
6 being photographed; identifying the religion to which he or she belongs or the tenets
7 of which he or she adheres to; and stating that the tenets of the religion prohibit him
8 or her from being photographed.

9 *-0315/2.6* SECTION 3282. 343.50 (6) of the statutes is amended to read:

10 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the an
11 identification card, the department shall ~~mail a renewal application to the provide~~
12 to the card holder notice of renewal of the card either by mail at the card holder's
13 last-known address of each identification card holder or, if desired by the card holder,
14 by any electronic means offered by the department. The department shall include
15 with the ~~application~~ notice information, as developed by all organ procurement
16 organizations in cooperation with the department, that promotes anatomical
17 donations and which relates to the anatomical donation opportunity available under
18 s. 343.175. The fee for a renewal identification card shall be \$18, which card shall
19 be valid for 8 years, except that a card that is issued to a person who is not a United
20 States citizen and who provides documentary proof of legal status as provided under
21 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
22 States is no longer authorized. If the documentary proof as provided under s. 343.14
23 (2) (er) does not state the date that the person's legal presence in the United States
24 is no longer authorized, then the card shall be valid for 8 years. The department may
25 renew an identification card by mail or by any electronic means available to the

1 department, but the department may not make consecutive renewals by mail or
2 electronic means.

3 ***-0315/2.7* SECTION 3283.** 343.50 (6) of the statutes, as affected by 2007
4 Wisconsin Act 20, section 3383, and 2011 Wisconsin Act (this act), is repealed and
5 recreated to read:

6 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
7 identification card, the department shall provide to the card holder notice of renewal
8 of the card either by mail at the card holder's last-known address or, if desired by
9 the card holder, by any electronic means offered by the department. If the card was
10 issued or last renewed based upon the person's presenting of any documentary proof
11 specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the
12 requirement under s. 343.165 (4) (c). The department shall include with the notice
13 information, as developed by all organ procurement organizations in cooperation
14 with the department, that promotes anatomical donations and which relates to the
15 anatomical donation opportunity available under s. 343.175. The department may
16 renew an identification card by mail or by any electronic means available to the
17 department, but the department may not make consecutive renewals by mail or
18 electronic means.

19 ***-1187/P4.519* SECTION 3284.** 345.28 (1) (a) of the statutes is amended to
20 read:

21 345.28 (1) (a) "Authority" means a local authority, a state agency, the
22 University of Wisconsin-Madison, any campus of the University of Wisconsin
23 System, or any technical college district.

24 ***-1187/P4.520* SECTION 3285.** 345.28 (1) (b) of the statutes is amended to
25 read:

345.28 (1) (b) "Forfeiture" includes a fine established under s. 36.11 (8), 37.11 (8), or 38.14 (13).

***-1187/P4.521* SECTION 3286.** 345.28 (1) (c) of the statutes is amended to read:

345.28 (1) (c) "Nonmoving traffic violation" is any parking of a vehicle in violation of a statute, an ordinance, a rule under s. 36.11 (8) or 37.11 (8) or a resolution under s. 38.14 (13).

***-1465/P3.1067* *-0808/2.454* SECTION 3287.** 346.503 (1m) (g) of the statutes is amended to read:

346.503 (1m) (g) This subsection does not affect the authority under s. 101.13 of the department of ~~commerce~~ safety and professional services to require by rule the reservation of parking spaces for use by a motor vehicle used by a physically disabled person.

***-1465/P3.1068* *-0808/2.455* SECTION 3288.** 346.503 (4) of the statutes is amended to read:

346.503 (4) The department, after consulting with the department of ~~commerce~~ safety and professional services, shall promulgate rules governing the design, size and installation of the official traffic signs required under sub. (2) or (2m).

***-0056/1.25* SECTION 3289.** 348.27 (11m) (d) of the statutes is amended to read:

348.27 (11m) (d) The secretary of transportation may limit the application of permits issued under this subsection to specific areas of the state or to specific highways. A permit authorized under this subsection takes effect upon the mailing or delivery of a complete application and the required fee to the department. A

1 permit authorized under this subsection is valid for up to 90 days, as determined by
2 the secretary of transportation.

3 ***-1187/P4.522* SECTION 3290.** 349.13 (1j) of the statutes is amended to read:

4 349.13 (1j) The department, with respect to state trunk highways outside of
5 corporate limits, and local authorities, with respect to highways under their
6 jurisdiction including state trunk highways or connecting highways within
7 corporate limits, may authorize persons to park their vehicles during specified hours
8 on the near side of a highway adjacent to a schoolhouse located on property of the
9 University of Wisconsin System or property of the University of Wisconsin-Madison
10 when the persons are conducting business at the schoolhouse.

11 ***-1187/P4.523* SECTION 3291.** 349.137 (2) of the statutes is amended to read:

12 349.137 (2) No person may use an immobilization device to immobilize a motor
13 vehicle to enforce restrictions against unauthorized parking except in conformity
14 with a municipal ordinance enacted under this section or a rule adopted under s.
15 36.11 (8) or 37.11 (8).

16 ***-1187/P4.524* SECTION 3292.** 349.137 (3) (intro.) of the statutes is amended
17 to read:

18 349.137 (3) (intro.) The governing body of any municipality may by ordinance,
19 ~~or the chancellor of a campus of the University of Wisconsin System~~ may by rule
20 under s. 36.11 (8), or the chancellor of the University of Wisconsin-Madison may be
21 rule under s. 37.11 (8), provide for the use of immobilization devices to enforce
22 restrictions against unauthorized parking. Any ordinance under this subsection or
23 rule under s. 36.11 (8) or 37.11 (8) shall do all of the following:

24 ***-1187/P4.525* SECTION 3293.** 349.137 (4) (b) of the statutes is amended to
25 read:

349.137 (4) (b) A chancellor of a campus of the University of Wisconsin System or the chancellor of the University of Wisconsin–Madison may adopt or enforce any rule under s. 36.11 (8) or 37.11 (8) regulating the use of immobilization devices to enforce parking restrictions that is not contrary to or inconsistent with this section.

***-1442/1.1* SECTION 3294.** 350.12 (4) (bg) 2. of the statutes is amended to read:

350.12 (4) (bg) 2. For fiscal year 2001-02, and for each fiscal year thereafter, the department shall calculate an amount equal to the number of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by \$15 \$32 and shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall make payments to the department or a county for the purposes specified in par. (b). The department shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

***-1356/1.28* SECTION 3295.** 425.2065 (1) of the statutes is amended to read:

425.2065 (1) In this section, “law enforcement agency” means the police department, combined protective services department under s. 60.553, 61.66, or 62.13 (2e), or sheriff, that has primary responsibility for providing police protection services in the city, village, or town in which a repossession is expected to occur.

***-1465/P3.1069* *-0808/2.456* SECTION 3296.** Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440

DEPARTMENT OF REGULATION AND

LICENSING SAFETY AND

PROFESSIONAL SERVICES

1 ***-1465/P3.1070* *-0808/2.457* SECTION 3297.** 440.01 (1) (aj) of the statutes
2 is amended to read:

3 440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~
4 safety and professional services.

5 ***-1465/P3.1071* *-0808/2.458* SECTION 3298.** 440.01 (1) (g) of the statutes
6 is amended to read:

7 440.01 (1) (g) "Secretary" means the secretary of ~~regulation and licensing~~
8 safety and professional services.

9 ***-1465/P3.1072* *-0808/2.459* SECTION 3299.** 440.01 (2) (cs) of the statutes
10 is amended to read:

11 440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~560.036~~
12 490.04 (1) (f).

13 ***-1272/P3.9* SECTION 3300.** 440.03 (1) of the statutes is amended to read:

14 440.03 (1) The department may promulgate rules defining uniform procedures
15 to be used by the department, the real estate examining board, the real estate
16 appraisers board, and all examining boards and affiliated credentialing boards
17 attached to the department or an examining board, for receiving, filing and
18 investigating complaints, for commencing disciplinary proceedings and for
19 conducting hearings.

20 ***-1465/P3.1073* *-1059/P3.584* SECTION 3301.** 440.03 (1m) of the statutes
21 is amended to read:

22 440.03 (1m) The department may promulgate rules specifying the number of
23 business days within which the department or any examining board or affiliated
24 credentialing board in the department must review and make a determination on an

1 application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under
2 chs. 440 to 480.

3 ***-1465/P3.1074* *-0808/2.460* SECTION 3302.** 440.03 (3q) of the statutes is
4 amended to read:

5 440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~
6 licensing safety and professional services shall investigate any report that it receives
7 under s. 146.40 (4r) (em).

8 ***-1272/P3.10* SECTION 3303.** 440.03 (11m) (b) of the statutes is amended to
9 read:

10 440.03 (11m) (b) The ~~department~~ real estate examining board shall deny an
11 application for an initial credential or deny an application for credential renewal or
12 for reinstatement of an inactive license under s. 452.12 (6) (e) if any information
13 required under par. (a) is not included in the application form or, in the case of an
14 applicant who is an individual and who does not have a social security number, if the
15 statement required under par. (am) is not included with the application form.

16 ***-1465/P3.1075* *-0808/2.461* SECTION 3304.** 440.03 (11m) (c) of the statutes
17 is amended to read:

18 440.03 (11m) (c) The department of ~~regulation and licensing~~ safety and
19 professional services may not disclose a social security number obtained under par.
20 (a) to any person except the coordinated licensure information system under s.
21 441.50 (7); the department of children and families for purposes of administering s.
22 49.22; and, for a social security number obtained under par. (a) 1., the department
23 of revenue for the purpose of requesting certifications under s. 73.0301 and
24 administering state taxes.

1 ***-1465/P3.1076* *-0808/2.462* SECTION 3305.** 440.03 (12m) of the statutes
2 is amended to read:

3 440.03 (12m) The department of ~~regulation and licensing~~ safety and
4 professional services shall cooperate with the departments of justice, children and
5 families, and health services in developing and maintaining a computer linkup to
6 provide access to information regarding the current status of a credential issued to
7 any person by the department of ~~regulation and licensing~~ safety and professional
8 services, including whether that credential has been restricted in any way.

9 ***-1465/P3.1077* *-0808/2.463* SECTION 3306.** 440.03 (18) (a) of the statutes
10 is created to read:

11 440.03 (18) (a) In this subsection, "veteran" has the meaning given in s. 45.01
12 (12).

13 ***-1465/P3.1078* *-0808/2.464* SECTION 3307.** 440.13 (1) (b) of the statutes
14 is amended to read:

15 440.13 (1) (b) "Memorandum of understanding" means a memorandum of
16 understanding entered into by the department of ~~regulation and licensing~~ safety and
17 professional services and the department of children and families under s. 49.857.

18 ***-1272/P3.11* SECTION 3308.** 440.13 (2) (a) of the statutes is amended to read:

19 440.13 (2) (a) With respect to a credential granted by the department, the
20 department shall restrict, limit, or suspend a credential or deny an application for
21 an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~
22 if the credential holder or applicant is delinquent in paying support or fails to comply,
23 after appropriate notice, with a subpoena or warrant issued by the department of
24 children and families or a county child support agency under s. 59.53 (5) and related
25 to support or paternity proceedings.

1 ***-1272/P3.12* SECTION 3309.** 440.13 (2) (c) of the statutes is amended to read:

2 440.13 (2) (c) With respect to a credential granted by a credentialing board, a
3 credentialing board shall restrict, limit or suspend a credential held by a person or
4 deny an application for an initial credential or for reinstatement of an inactive
5 license under s. 452.12 (6) (e) when directed to do so by the department.

6 ***-1465/P3.1079* *-0808/2.465* SECTION 3310.** 440.22 (2) of the statutes is
7 amended to read:

8 440.22 (2) In any disciplinary proceeding against a holder of a credential in
9 which the department or an examining board, affiliated credentialing board or board
10 in the department orders suspension, limitation or revocation of the credential or
11 reprimands the holder, the department, examining board, affiliated credentialing
12 board or board may, in addition to imposing discipline, assess all or part of the costs
13 of the proceeding against the holder. Costs assessed under this subsection are
14 payable to the department. Interest shall accrue on costs assessed under this
15 subsection at a rate of 12% per year beginning on the date that payment of the costs
16 are due as ordered by the department, examining board, affiliated credentialing
17 board or board. Upon the request of the department of ~~regulation and licensing~~
18 safety and professional services, the department of justice may commence an action
19 to recover costs assessed under this subsection and any accrued interest.

20 ***-1465/P3.1080* *-0808/2.466* SECTION 3311.** 440.905 (1) of the statutes is
21 amended to read:

22 440.905 (1) In addition to the other duties and powers of the board under this
23 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
24 and professional services on matters relating to cemeteries, to this chapter, or to the
25 board.

1 ***-1465/P3.1081* *-0808/2.467* SECTION 3312.** 440.92 (2) (d) of the statutes
2 is amended to read:

3 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
4 plans for the construction of the mausoleum have been submitted to the department
5 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and
6 the preneed sales contract includes the following language in not less than 10-point
7 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
8 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~COMMERCE~~ SAFETY
9 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS
10 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE
11 PLANS BY THE DEPARTMENT OF ~~COMMERCE~~ SAFETY AND
12 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN
13 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF
14 COMMERCE SAFETY AND PROFESSIONAL SERVICES."

15 ***-1465/P3.1082* *-0808/2.468* SECTION 3313.** 440.945 (5) (b) of the statutes
16 is amended to read:

17 440.945 (5) (b) The department of justice or any district attorney, upon
18 informing the department of justice, may commence an action in circuit court in the
19 name of the state to restrain by temporary or permanent injunction any violation of
20 this section. The court may, prior to entry of final judgment, make such orders or
21 judgments as may be necessary to restore to any person any pecuniary loss suffered
22 because of the acts or practices involved in the action, if proof of such loss is submitted
23 to the satisfaction of the court. The department of justice may subpoena persons and
24 require the production of books and other documents, and may request the
25 department of ~~regulation and licensing~~ safety and professional services to exercise

its authority under par. (a) to aid in the investigation of alleged violations of this section.

***-1187/P4.526* SECTION 3314.** 448.20 (2) of the statutes is amended to read:

448.20 (2) ~~ADVISE BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.

The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees of the University of Wisconsin-Madison and the Board of Regents of the University of Wisconsin System in establishing an educational program for physician assistants on the undergraduate level. The council shall suggest criteria for admission requirements, program goals and objectives, curriculum requirements, and criteria for credit for past educational experience or training in health fields.

***-1404/1.1* SECTION 3315.** 450.01 (16) (h) (intro.) of the statutes is renumbered 450.01 (16) (h) and amended to read:

450.01 (16) (h) Making therapeutic alternate drug selections, if made in accordance with written guidelines or procedures previously established by a pharmacy and therapeutics committee of a hospital ~~and approved by the hospital's medical staff and use of the therapeutic alternate drug selection has been approved for a patient during the period of the patient's stay within the hospital by any of the following:~~ or by a skilled nursing facility or by an intermediate care facility for persons with mental retardation, as defined in s. 46.278 (1m) (am).

***-1404/1.2* SECTION 3316.** 450.01 (16) (h) 1. of the statutes is repealed.

***-1404/1.3* SECTION 3317.** 450.01 (16) (h) 2. of the statutes is repealed.

***-1272/P3.13* SECTION 3318.** 452.01 (1s) of the statutes is amended to read:

452.01 (1s) "Board" means real estate examining board.

***-1272/P3.14* SECTION 3319.** 452.025 (1) (a) of the statutes is amended to read:

.....
SECTION 3319

1 452.025 (1) (a) A person desiring to act as a time-share salesperson shall
2 submit to the ~~department~~ board an application for a certificate of registration.

3 ***-1272/P3.15* SECTION 3320.** 452.025 (1) (b) (intro.) of the statutes is amended
4 to read:

5 452.025 (1) (b) The application for registration as a time-share salesperson
6 shall be in the form prescribed by the ~~department~~ board and shall include all of the
7 following:

8 ***-1272/P3.16* SECTION 3321.** 452.025 (1) (b) 4. of the statutes is amended to
9 read:

10 452.025 (1) (b) 4. Any other information ~~which~~ that the ~~department~~ board
11 reasonably requires to enable it to determine the competency of the person to
12 transact business as a time-share salesperson in a manner ~~which~~ that safeguards
13 the interests of the public.

14 ***-1272/P3.17* SECTION 3322.** 452.025 (3) (b) 2. (intro.) of the statutes is
15 amended to read:

16 452.025 (3) (b) 2. A time-share salesperson registered under this section may
17 complete a form purchase agreement or offer to purchase, if the form purchase
18 agreement or offer to purchase has been approved by the ~~department~~ board and
19 includes only the following:

20 ***-1272/P3.18* SECTION 3323.** 452.025 (4) of the statutes is amended to read:

21 452.025 (4) A time-share salesperson registered under this section may apply
22 at any time to transfer employment to another licensed broker by submitting to the
23 ~~department~~ board an application in the form prescribed by the ~~department~~ board
24 and the transfer fee specified in s. 440.05 (7).

1 ***-1272/P3.19* SECTION 3324.** 452.025 (5) (a) of the statutes is amended to
2 read:

3 452.025 (5) (a) The renewal date for certificates of registration granted by the
4 ~~department~~ board under this section is specified under s. 440.08 (2) (a).

5 ***-1272/P3.20* SECTION 3325.** 452.03 of the statutes is amended to read:

6 **452.03 Brokers and salespersons licensed.** No person may engage in or
7 follow the business or occupation of, or advertise or hold himself or herself out as, or
8 act temporarily or otherwise as a broker or salesperson without a license. ~~Licenses~~
9 ~~shall be granted~~ The board may grant a license only to persons a person who are is
10 competent to transact such businesses in a manner ~~which~~ that safeguards the
11 interests of the public, and only after satisfactory proof of the person's competence
12 has been presented to the ~~department~~ board.

13 ***-1272/P3.21* SECTION 3326.** 452.04 of the statutes is repealed.

14 ***-1272/P3.22* SECTION 3327.** 452.05 (title) and (1) (intro.) of the statutes are
15 amended to read:

16 **452.05 (title) Duties and powers of department board.** (1) (intro.) In
17 addition to the other duties and responsibilities of the ~~department~~ board under this
18 chapter, the ~~department~~ board shall advise the secretary on matters relating to real
19 estate practice and shall:

20 ***-1272/P3.23* SECTION 3328.** 452.05 (1) (b) of the statutes is amended to read:

21 452.05 (1) (b) Approve forms for use in real estate practice. The board may
22 conduct public hearings on matters relating to the approval of forms used in real
23 estate practice.

24 ***-1272/P3.24* SECTION 3329.** 452.05 (1) (c) of the statutes is amended to read:

1 452.05 (1) (c) After consultation with the council on real estate curriculum and
2 examinations ~~and subject to the procedure under s. 452.07~~, promulgate rules
3 establishing criteria for the approval of educational programs and training sessions
4 under s. 452.09 (2) and approve such programs and sessions in accordance with the
5 established criteria.

6 ***-1272/P3.25* SECTION 3330.** 452.05 (1) (d) of the statutes is amended to read:

7 452.05 (1) (d) After consultation with the council on real estate curriculum and
8 examinations, ~~the board~~, brokers and salespersons licensed under this chapter, and
9 interested members of the public, establish criteria for the approval of continuing
10 educational programs and courses in real estate related subjects required for
11 renewal under s. 452.12 (5) (c) 1.

12 ***-1272/P3.26* SECTION 3331.** 452.05 (1m) (b) of the statutes is amended to
13 read:

14 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real
15 property under sub. (1) (b), the ~~department~~ board shall include a statement that the
16 seller represents to the buyer that the seller has no notice or knowledge that the
17 commercial real property is a historic building.

18 ***-1272/P3.27* SECTION 3332.** 452.05 (2) of the statutes is amended to read:

19 452.05 (2) The ~~department~~ board may prepare letters and bulletins and
20 conduct clinics disseminating information to its licensees.

21 ***-1272/P3.28* SECTION 3333.** 452.05 (3) of the statutes is amended to read:

22 452.05 (3) The ~~department~~ board may, ~~after consultation with the board~~, enter
23 into reciprocal agreements with officials of other states or territories of the United
24 States for licensing brokers and salespersons and grant licenses to applicants who

are licensed as brokers or salespersons in those states or territories according to the terms of the reciprocal agreements.

***-1272/P3.29* SECTION 3334.** 452.06 (2) (intro.) and (b) of the statutes are consolidated, renumbered 452.06 (2) and amended to read:

452.06 (2) The council on real estate curriculum and examinations shall ~~do all of the following:~~ (b) Periodically, but not less than annually, review subjects covered on examinations for licensure under this chapter and the qualifications for instructors of and performance evaluations for educational and continuing educational programs, training sessions, and courses approved under this chapter.

***-1272/P3.30* SECTION 3335.** 452.06 (2) (a) of the statutes is repealed.

***-1272/P3.31* SECTION 3336.** 452.07 (title) of the statutes is amended to read:

452.07 (title) Rules; review of rules.

***-1272/P3.32* SECTION 3337.** 452.07 (1) of the statutes is amended to read:

452.07 (1) The department board shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.

***-1272/P3.33* SECTION 3338.** 452.07 (1m) of the statutes is amended to read:

452.07 (1m) The department board shall promulgate rules that specify the supervisory duties of brokers under s. 452.12 (3).

***-1272/P3.34* SECTION 3339.** 452.07 (2) to (7) of the statutes are repealed.

***-1272/P3.35* SECTION 3340.** 452.09 (1) (intro.) of the statutes is amended to read:

452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker or salesperson shall submit to the department board an application for a license. The application shall be in such form as the department board prescribes and shall include the following:

.....
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1 ***-1272/P3.36* SECTION 3341.** 452.09 (1) (e) of the statutes is amended to read:

2 452.09 (1) (e) Any other information ~~which~~ that the ~~department~~ board may
3 reasonably require to enable it to determine the competency of each applicant,
4 including each business representative of the business entity, to transact the
5 business of a broker or salesperson in a manner ~~which~~ that safeguards the interests
6 of the public.

7 ***-1272/P3.37* SECTION 3342.** 452.09 (2) (a) of the statutes is amended to read:

8 452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3),
9 each applicant for a salesperson's license shall submit to the ~~department~~ board
10 evidence satisfactory to the ~~department~~ board of successful completion of
11 educational programs approved for this purpose under s. 452.05 (1) (c). The
12 ~~department~~ board may waive the requirement under this paragraph upon proof that
13 the applicant has received 10 academic credits in real estate or real estate related
14 law courses from an accredited institution of higher education.

15 ***-1272/P3.38* SECTION 3343.** 452.09 (2) (c) 2. of the statutes is amended to
16 read:

17 452.09 (2) (c) 2. Submit to the ~~department~~ board evidence satisfactory to the
18 ~~department~~ board of successful completion of educational programs in business
19 management approved for this purpose under s. 452.05 (1) (c). No educational
20 programs applied to satisfy the requirement under subd. 1. may be applied to satisfy
21 the requirement under this subdivision.

22 ***-1272/P3.39* SECTION 3344.** 452.09 (2) (d) of the statutes is amended to read:

23 452.09 (2) (d) The ~~department~~ board may waive the requirements under par.
24 (c) upon proof that the applicant has received 20 academic credits in real estate or

1 real estate related law courses from an accredited institution of higher education or
2 that the applicant is licensed to practice law in this state.

3 ***-1272/P3.40* SECTION 3345.** 452.09 (3) (a) of the statutes is amended to read:

4 452.09 (3) (a) In determining competency, the ~~department~~ board shall require
5 proof that the applicant for a broker's or salesperson's license has a fair knowledge
6 of the English language; a fair understanding of the general purposes and general
7 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel
8 mortgages, and conditional sales contracts; and a general and fair understanding
9 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The
10 board shall deny a license to an applicant receiving a failing grade, as established by
11 rules of the ~~department~~ board, on any examination given under this section ~~shall be~~
12 ~~denied a license~~, but any applicant may review his or her examination results in a
13 manner established by rules of the ~~department~~ board.

14 ***-1272/P3.41* SECTION 3346.** 452.09 (3) (b) of the statutes is amended to read:

15 452.09 (3) (b) The ~~department~~ board shall determine competency under par.
16 (a) by means of only an oral examination for any applicant who is unable to write
17 because of a physical handicap.

18 ***-1272/P3.42* SECTION 3347.** 452.09 (3) (d) of the statutes is amended to read:

19 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),
20 the ~~department~~ board may not grant a broker's license to an applicant who does not
21 hold a salesperson's license unless the applicant passes the salesperson's
22 examination and the broker's examination.

23 ***-1272/P3.43* SECTION 3348.** 452.09 (5) of the statutes is amended to read:

24 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18
25 years of age or over may, upon application filed in accordance with sub. (1), be

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1 indentured to a licensed resident broker in accordance with rules promulgated by the
2 ~~department~~ board. These rules shall be promulgated so as to protect the public and
3 may limit the real estate sales and brokerage activity of the apprentice. The
4 ~~department~~ board may require an apprentice to take a preliminary examination
5 covering general knowledge and may prescribe the character and extent of his or her
6 work during apprenticeship. The ~~department~~ board may issue a temporary
7 salesperson's permit to the individual for a period not to exceed one year upon
8 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

9 ***-1272/P3.44* SECTION 3349.** 452.10 (2) (b) of the statutes is amended to read:

10 452.10 (2) (b) Unless an application is withdrawn in writing before the
11 ~~department~~ board has made any investigation, no part of the fee shall be returned.

12 ***-1272/P3.45* SECTION 3350.** 452.10 (4) (a) of the statutes is amended to read:

13 452.10 (4) (a) Any licensed salesperson or broker may transfer to the
14 employment of a licensed broker by first paying the transfer fee specified in s. 440.05
15 (7) and filing a transfer form with the ~~department~~ board.

16 ***-1272/P3.46* SECTION 3351.** 452.10 (6) of the statutes is amended to read:

17 452.10 (6) In the case of applications for renewals of licenses the ~~department~~
18 board may dispense with such matters contained in s. 452.09 (1) as it deems
19 unnecessary in view of prior applications.

20 ***-1272/P3.47* SECTION 3352.** 452.11 (3) of the statutes is amended to read:

21 452.11 (3) Every nonresident applicant, and every resident licensee who
22 becomes a nonresident, shall file with the ~~department~~ board an irrevocable consent
23 that actions may be commenced against the applicant or licensee in the proper court
24 of any county of the state in which a cause of action arises or in which the plaintiff
25 resides, by the service of any process or pleading authorized by the laws of this state

1 on the ~~department~~ board or any duly authorized employee. The consent shall
2 stipulate and agree that such service is valid and binding as due service upon the
3 applicant or licensee in all courts in this state. The consent shall be duly
4 acknowledged and, if made by a corporation, shall be authenticated by the corporate
5 seal.

6 ***-1272/P3.48* SECTION 3353.** 452.11 (4) of the statutes is amended to read:

7 452.11 (4) Any process or pleading under this section shall be served in
8 duplicate upon the ~~department~~ board or its duly authorized employee. One copy
9 shall be filed with the ~~department~~ board and the other immediately forwarded by
10 certified mail to the nonresident licensee against whom the process or pleading is
11 directed at the last address provided to the ~~department~~ board by the nonresident
12 licensee. No default in any such proceeding or action may be taken unless it appears
13 by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized
14 employee that a copy of the process or pleading was mailed to the nonresident
15 licensee as required in this subsection. No judgment by default may be taken in any
16 action or proceeding within 20 days after the date of mailing the process or pleading
17 to the nonresident licensee.

18 ***-1272/P3.49* SECTION 3354.** 452.12 (1) of the statutes is amended to read:

19 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the
20 holder to act as a broker or salesperson, as the case may be, until the applicable
21 renewal date specified under s. 440.08 (2) (a).

22 ***-1272/P3.50* SECTION 3355.** 452.12 (2) (c) of the statutes is amended to read:

23 452.12 (2) (c) Application for a business entity license shall be made on forms
24 prescribed by the ~~department~~ board, listing the names and addresses of all business
25 representatives, and shall be accompanied by the initial credential fee determined

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1 by the department under s. 440.03 (9) (a). If there is a change in any of the business
2 representatives, the change shall be reported to the ~~department~~ board, on the same
3 form, within 30 days after the effective date of the change.

4 ***-1272/P3.51* SECTION 3356.** 452.12 (4) of the statutes is amended to read:

5 452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~
6 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the
7 register the board maintains under s. 440.035 (4) the names of all brokers and
8 salespersons whose licenses have been were revoked at any time within the past 2
9 years prior to the issuance thereof shall be included in the register. The register shall
10 be available for purchase at cost.

11 ***-1272/P3.52* SECTION 3357.** 452.12 (5) (b) of the statutes is amended to read:

12 452.12 (5) (b) If an application for renewal is not filed with the ~~department~~
13 board on or before the renewal date, the applicant may not engage in any of the
14 activities covered by the license until the license is renewed or a new license is issued.

15 ***-1272/P3.53* SECTION 3358.** 452.12 (5) (c) 2. of the statutes is amended to
16 read:

17 452.12 (5) (c) 2. Not later than June 30 of each even-numbered year, the
18 ~~department~~ board shall conduct an examination on those subjects required for
19 continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes
20 the examination under this subdivision is not required to comply with subd. 1.

21 ***-1187/P4.527* SECTION 3359.** 452.12 (5) (d) of the statutes is created to read:

22 452.12 (5) (d) Annually, the department shall pay to the University of
23 Wisconsin-Madison \$10 of each renewal fee received under this subsection for
24 support of the center for urban land economics in the School of Business at the
25 University of Wisconsin-Madison under s. 37.25 (34).

1 ***-1272/P3.54* SECTION 3360.** 452.12 (6) (b) of the statutes is amended to read:

2 452.12 (6) (b) Unless an applicant's license has been revoked or suspended
3 under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a)
4 as an inactive licensee upon payment of a \$15 fee.

5 ***-1272/P3.55* SECTION 3361.** 452.12 (6) (d) of the statutes is amended to read:

6 452.12 (6) (d) If an inactive licensee files an application for reinstatement
7 before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's
8 original license in accordance with the requirements for late renewal under s. 440.08
9 (3).

10 ***-1272/P3.56* SECTION 3362.** 452.12 (6) (e) (intro.) of the statutes is amended
11 to read:

12 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and
13 440.13 (2) (a) (c), the ~~department~~ board shall reinstate an inactive licensee's original
14 license as follows:

15 ***-1272/P3.57* SECTION 3363.** 452.12 (6) (e) 1. of the statutes is amended to
16 read:

17 452.12 (6) (e) 1. If a person has registered as an inactive licensee before
18 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
19 if that person applies to the ~~department~~ board for reinstatement of his or her original
20 license, pays the fee specified under s. 440.05 (1), passes an examination under s.
21 452.09 (3), and completes the education requirements established by the ~~department~~
22 board under par. (f).

23 ***-1272/P3.58* SECTION 3364.** 452.12 (6) (e) 2. of the statutes is amended to
24 read:

1 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after
2 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
3 if that person applies to the ~~department~~ board for reinstatement of his or her original
4 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)
5 for the original license and completes 12 hours of continuing education as established
6 by the ~~department~~ board under par. (f). A person who is eligible for reinstatement
7 of his or her original license under this subdivision shall complete the requirements
8 for reinstatement under this subdivision before January 1, 1996, or within 5 years
9 after the date on which the person registered as an inactive licensee, whichever is
10 later.

11 ***-1272/P3.59* SECTION 3365.** 452.12 (6) (e) 3. of the statutes is amended to
12 read:

13 452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her
14 original license under subd. 2. does not complete the requirements for reinstatement
15 within the time specified under subd. 2., the ~~department~~ board shall reinstate the
16 original license of that person if he or she meets the requirements specified under
17 subd. 1.

18 ***-1272/P3.60* SECTION 3366.** 452.12 (6) (f) of the statutes is amended to read:
19 452.12 (6) (f) The ~~department~~ board shall promulgate rules establishing the
20 education requirements that applicants for reinstatement of original licenses under
21 par. (e) must satisfy.

22 ***-1465/P3.1083* *-0808/2.469* SECTION 3367.** 452.13 (2) (b) 1. of the statutes
23 is amended to read:

1 452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~
2 safety and professional services the name and address of the depository institution
3 and the number of the interest-bearing common trust account.

4 ***-1465/P3.1084* *-0808/2.470* SECTION 3368.** 452.13 (2) (b) 2. of the statutes
5 is amended to read:

6 452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and
7 professional services when any of the information required under subd. 1. is
8 changed.

9 ***-1465/P3.1085* *-0805/P2.32* SECTION 3369.** 452.13 (2) (b) 3. of the statutes
10 is amended to read:

11 452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and
12 professional services with a letter authorizing the department of ~~regulation and~~
13 licensing safety and professional services and the ~~department of commerce~~
14 Wisconsin Housing and Economic Development Authority to examine and audit the
15 interest-bearing common trust account whenever the department of ~~regulation and~~
16 licensing safety and professional services or the ~~department of commerce~~ Wisconsin
17 Housing and Economic Development Authority considers it necessary.

18 ***-1465/P3.1086* *-0805/P2.33* SECTION 3370.** 452.13 (2) (bm) of the statutes
19 is amended to read:

20 452.13 (2) (bm) The department of ~~regulation and licensing~~ safety and
21 professional services shall forward to the ~~department of commerce~~ Wisconsin
22 Housing and Economic Development Authority the information and documents
23 furnished under par. (b).

24 ***-1465/P3.1087* *-0805/P2.34* SECTION 3371.** 452.13 (2) (d) of the statutes
25 is amended to read:

1 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic
2 Development Authority is the beneficial owner of the interest accruing to the
3 interest-bearing common trust account, minus any service charges or fees.

4 ***-1465/P3.1088* *-0805/P2.35* SECTION 3372.** 452.13 (2) (e) 1. of the statutes
5 is amended to read:

6 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
7 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
8 interest or dividends, minus service charges or fees, earned on the average daily
9 balance in the interest-bearing common trust account during the 12 months ending
10 on the previous December 31. A depository institution is not required to remit any
11 amount if the total interest or dividends for that period is less than \$10 before any
12 deduction for service charges or fees.

13 ***-1465/P3.1089* *-0805/P2.36* SECTION 3373.** 452.13 (2) (e) 2. of the statutes
14 is amended to read:

15 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
16 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
17 and to the broker maintaining the interest-bearing common trust account a
18 statement that includes the name of the broker for whose account the remittance is
19 made, the rate of interest applied, the amount of service charges or fees deducted,
20 if any, and the account balance for the period that the statement covers.

21 ***-1465/P3.1090* *-0805/P2.37* SECTION 3374.** 452.13 (2) (f) 2. of the statutes
22 is amended to read:

23 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
24 common trust account against the ~~department of commerce~~ Wisconsin Housing and
25 Economic Development Authority.

1 ***-1465/P3.1091* *-0805/P2.38* SECTION 3375.** 452.13 (2) (f) 3. of the statutes
2 is amended to read:

3 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
4 an interest-bearing common trust account, and if a balance remains, may deduct the
5 remaining charge or fee from the interest earned on any other interest-bearing
6 common trust account maintained in that depository institution, before remitting
7 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
8 Development Authority.

9 ***-1465/P3.1092* *-0805/P2.39* SECTION 3376.** 452.13 (5) of the statutes is
10 amended to read:

11 452.13 (5) RULES. In consultation with the ~~department of regulation and~~
12 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic
13 Development Authority, the department of safety and professional services shall
14 promulgate rules necessary to administer this section.

15 ***-1272/P3.61* SECTION 3377.** 452.14 (1) of the statutes is amended to read:

16 452.14 (1) The ~~department~~ board shall, upon motion of the ~~board~~ secretary or
17 his or her designee or upon its own determination, conduct investigations and, as
18 appropriate, may hold hearings and make findings, if the board or the department
19 receives credible information that a broker, salesperson, or time-share salesperson
20 has violated this chapter or any rule promulgated under this chapter.

21 ***-1272/P3.62* SECTION 3378.** 452.14 (2) of the statutes is amended to read:

22 452.14 (2) ~~The department shall present the findings of any investigation of~~
23 ~~a licensee or registrant to the board for its consideration. The department shall upon~~
24 ~~motion of the board, and~~ board may, ~~upon its own determination,~~ commence
25 disciplinary proceedings on any matter under investigation concerning a licensee or

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1 registrant. ~~No investigation of a licensee or registrant may be closed without motion~~
2 ~~of the board.~~

3 ***-1272/P3.63* SECTION 3379.** 452.14 (3) (L) of the statutes is amended to read:

4 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated
5 under this chapter;

6 ***-1272/P3.64* SECTION 3380.** 452.17 (2) of the statutes is amended to read:

7 452.17 (2) Any person who engages in or follows the business or occupation of,
8 or advertises or holds himself or herself out as or acts temporarily or otherwise as,
9 a time-share salesperson in this state without being registered with the ~~department~~
10 board shall be prosecuted by the district attorney in the county where the violation
11 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less
12 than 10 days nor more than 6 months or both.

13 ***-1272/P3.65* SECTION 3381.** 452.22 (2) of the statutes is amended to read:

14 452.22 (2) The certificate of the ~~secretary~~ chairperson of the board or his or her
15 designee to the effect that a specified individual or business entity is not or was not
16 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's
17 license or registration, or that a specified license or registration was not in effect on
18 a date specified, or as to the issuance, limitation, suspension, or revocation of any
19 license or registration or the reprimand of any license or registration holder thereof,
20 the filing or withdrawal of any application or its existence or nonexistence, is prima
21 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any
22 action or proceedings.

23 ***-1465/P3.1093* *-0808/2.474* SECTION 3382.** 462.01 (3) of the statutes is
24 amended to read:

462.01 (3) "Department" means the department of ~~regulation and licensing~~
safety and professional services.

***-1465/P3.1094* *-0808/2.475* SECTION 3383.** Chapter 490 of the statutes is created to read:

CHAPTER 490

BUSINESS ASSISTANCE PROGRAMS

***-1465/P3.1095* *-0808/2.476* SECTION 3384.** 490.01 of the statutes is
created to read:

490.01 Definitions. In this chapter:

(1) "Department" means the department of safety and professional services.

(2) “Secretary” means the secretary of safety and professional services.

***-0194/3.1* SECTION 3385.** 551.403 (2) (a) 2. of the statutes is amended to read:

551.403 (2) (a) 2. Institutional investors, except any institutional investor described in s. 551.102 (11) (k), (m), or (o).

***-0194/3.2* SECTION 3386.** 551.403 (2) (a) 2m. of the statutes is amended to read:

551.403 **(2)** (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2), or~~
(3), ~~(7) or (8)~~ adopted under the Securities Act of 1933.

***-1465/P3.1096* *-1059/P3.585* SECTION 3387.** Chapter 560 (title) of the statutes is repealed.

***-1465/P3.1097* *-1059/P3.586* SECTION 3388.** Subchapter I (title) of chapter 560 [precedes 560.001] of the statutes is repealed.

***-1465/P3.1098* *-1059/P3.587* SECTION 3389.** 560.001 of the statutes is repealed.

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1 ***-1465/P3.1099* *-1059/P3.588* SECTION 3390.** 560.01 (title), (1) and (2) of
2 the statutes are repealed.

3 ***-1465/P3.1100* *-1059/P3.589* SECTION 3391.** 560.01 (3) of the statutes is
4 renumbered 238.04 (14) and amended to read:

5 238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
6 agreements regarding compensation, space, and other administrative matters as are
7 necessary to operate departmental offices in other states and foreign countries. Such
8 agreements shall be subject to the approval of the secretary of administration.

9 ***-1465/P3.1101* *-1059/P3.590* SECTION 3392.** 560.02 of the statutes is
10 repealed.

11 ***-1465/P3.1102* *-1059/P3.591* SECTION 3393.** 560.03 (title) of the statutes
12 is repealed.

13 ***-1465/P3.1103* *-1059/P3.592* SECTION 3394.** 560.03 (intro.) of the statutes
14 is repealed.

15 ***-1465/P3.1104* *-1059/P3.593* SECTION 3395.** 560.03 (1) of the statutes is
16 repealed.

17 ***-0157/3.4* SECTION 3396.** 560.03 (1) of the statutes is amended to read:

18 560.03 (1) Support and assist the efforts of local business and industry, local
19 government, state, regional and local development corporations, industrial
20 committees, chambers of commerce, labor organizations and other similar public and
21 private agencies to foster expansion of existing agricultural, commercial, industrial
22 and mining enterprises, and initiate efforts to attract new enterprises, ~~including~~
23 ~~working jointly with the department of agriculture, trade and consumer protection~~
24 ~~to develop deer farming under s. 93.46 (1) (am).~~

1 ***-1465/P3.1105* *-1059/P3.594* SECTION 3397.** 560.03 (2) of the statutes is
2 repealed.

3 ***-1465/P3.1106* *-1059/P3.595* SECTION 3398.** 560.03 (3) of the statutes is
4 repealed.

5 ***-1465/P3.1107* *-1059/P3.596* SECTION 3399.** 560.03 (4) of the statutes is
6 repealed.

7 ***-1465/P3.1108* *-1059/P3.597* SECTION 3400.** 560.03 (4m) of the statutes
8 is repealed.

9 ***-1465/P3.1109* *-1059/P3.598* SECTION 3401.** 560.03 (5) of the statutes is
10 repealed.

11 ***-1465/P3.1110* *-1059/P3.599* SECTION 3402.** 560.03 (6) of the statutes is
12 repealed.

13 ***-1465/P3.1111* *-1059/P3.600* SECTION 3403.** 560.03 (8) of the statutes is
14 repealed.

15 ***-1465/P3.1112* *-1059/P3.601* SECTION 3404.** 560.03 (9) of the statutes is
16 repealed.

17 ***-1465/P3.1113* *-1059/P3.602* SECTION 3405.** 560.03 (10) of the statutes is
18 repealed.

19 ***-1465/P3.1114* *-1059/P3.603* SECTION 3406.** 560.03 (11) of the statutes is
20 repealed.

21 ***-1465/P3.1115* *-1059/P3.604* SECTION 3407.** 560.03 (16) of the statutes is
22 repealed.

23 ***-1465/P3.1116* *-1059/P3.605* SECTION 3408.** 560.03 (17) of the statutes is
24 renumbered 238.25 and amended to read:

1 **238.25 Assistance to loan recipients.** ~~Assist~~ The corporation shall assist
2 new businesses and small businesses receiving economic development loans under
3 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic
4 Development Authority in locating sources of venture capital and in obtaining the
5 state and federal licenses and permits necessary for business operations.

6 ***-1465/P3.1117* *-1059/P3.606* SECTION 3409.** 560.03 (18) of the statutes is
7 repealed.

8 ***-1187/P4.528* SECTION 3410.** 560.03 (18) of the statutes is amended to read:
9 560.03 (18) Develop and implement a plan to promote and increase exports,
10 including agricultural products, and foreign investment in this state. The plan shall
11 provide for the secretary to take a leadership role in assuring collaboration and
12 coordination among international trade activities conducted by governmental
13 entities to assure efficiency and to avoid duplication and may include provisions for
14 participation in trade fairs and missions, establishment and maintenance of foreign
15 trade offices and preparation of research on foreign markets for exports from this
16 state and on opportunities for foreign investment in this state. The plan shall
17 describe the allocation of funds for support staff in this state to implement the plan
18 and for all other costs in implementing each provision of the plan. In developing and
19 implementing the plan, the department shall consult with the department of
20 agriculture, trade and consumer protection, the University of Wisconsin-Madison,
21 the University of Wisconsin System, the technical college system and other public
22 and private agencies and institutions supporting international trade education or
23 activities. Any plan to establish a foreign trade office shall include the feasibility of
24 establishing a system of graduated fees which a trade office may use to offset its

operating costs, or a system of commissions for execution of successful transactions,
or both.

***-1465/P3.1118* *-1059/P3.607* SECTION 3411.** 560.03 (19) of the statutes is
repealed.

***-1465/P3.1119* *-1059/P3.608* SECTION 3412.** 560.03 (20) of the statutes is
repealed.

***-1465/P3.1120* *-1059/P3.609* SECTION 3413.** 560.03 (21) of the statutes is
repealed.

***-1465/P3.1121* *-1059/P3.610* SECTION 3414.** 560.03 (22) of the statutes is
repealed.

***-1465/P3.1122* *-1059/P3.611* SECTION 3415.** 560.03 (23) of the statutes is
repealed.

***-1465/P3.1123* *-1059/P3.612* SECTION 3416.** 560.03 (25) of the statutes is
repealed.

***-1187/P4.529* SECTION 3417.** 560.03 (25) of the statutes is amended to read:
560.03 (25) In cooperation with the department of financial institutions and,
the board of regents Board of Trustees of the University of Wisconsin-Madison, and
the Board of Regents of the University of Wisconsin System, provide education and
other support to facilitate the development networks of bona fide angel investors, as
defined in s. 71.07 (5d) (a) 1.

***-1465/P3.1124* *-1059/P3.613* SECTION 3418.** 560.03 (26) of the statutes is
repealed.

***-1187/P4.530* SECTION 3419.** 560.03 (26) of the statutes is amended to read:
560.03 (26) In cooperation with the department of financial institutions and,
the board of regents Board of Trustees of the University of Wisconsin-Madison, and

1 the Board of Regents of the University of Wisconsin System, annually conduct and
2 publish the results of a study of Wisconsin businesses to determine new business
3 formation trends and identify obstacles faced by new Wisconsin businesses and areas
4 where changes in governmental policy may satisfy the needs of new Wisconsin
5 businesses. As part of the study, the department of commerce shall conduct a survey
6 of Wisconsin businesses.

7 ***-1465/P3.1125* *-1059/P3.614* SECTION 3420.** 560.031 of the statutes is
8 repealed.

9 ***-1465/P3.1126* *-1059/P3.615* SECTION 3421.** 560.032 of the statutes is
10 renumbered 238.10 and amended to read:

11 **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**
12 The ~~department, by rule, corporation~~ shall establish under 26 USC 146 and
13 administer a system for the allocation of the volume cap on the issuance of private
14 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined
15 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and
16 among this state, the Wisconsin Health and Educational Facilities Authority, the
17 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic
18 Development Authority.

19 **(2) AMENDMENT TO ALLOCATION.** At any time prior to December 31 in any year,
20 the ~~department corporation~~ may ~~promulgate~~ adopt rules to revise the allocation
21 system established for that year under sub. (1), except that any revision under this
22 subsection does not apply to any allocation under which the recipient of that
23 allocation has adopted a resolution authorizing the issuance of a private activity
24 bond, as defined in 26 USC 141 (a).

1 (3) CONDITIONS. The ~~department~~ corporation may establish, ~~by rule,~~ any
2 procedure for, and place any condition upon, the granting of an allocation under this
3 section which the ~~department~~ corporation deems to be in the best interest of the state
4 including, ~~but not limited to,~~ a requirement that a cash deposit, at a rate established
5 by the ~~department in the rules~~ corporation, be a condition for an allocation.

6 (4) CERTIFICATION. If the ~~secretary~~ corporation receives notice of the issuance
7 of a bond under an allocation under subs. (1) to (3), the ~~secretary~~ corporation shall
8 certify that that bond meets the requirements of 26 USC 146.

9 *-1465/P3.1127* *-1059/P3.616* SECTION 3422. 560.033 of the statutes is
10 repealed.

11 *-1465/P3.1128* *-0808/2.477* SECTION 3423. 560.0335 of the statutes is
12 renumbered 490.02.

13 *-1465/P3.1129* *-1059/P3.617* SECTION 3424. 560.034 of the statutes is
14 renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are
15 amended to read:

16 238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be
17 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation
18 shall include on the forms a requirement for information on the number of jobs the
19 person submitting the notice expects to be eliminated, created, or maintained on the
20 project site and elsewhere in this state by the project which is the subject of the
21 notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.
22 66.1103 (4m) (b) and 234.65 (3r).

23 (2) If the ~~department~~ corporation receives a notice under s. 66.1103 (4m) (a),
24 the ~~department~~ corporation shall estimate, no later than 20 days after receipt of the
25 notice, whether the project ~~which~~ that is the subject of the notice is expected to

eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

(3) If the ~~department~~ corporation receives a notice under s. 234.65 (3) (a), the ~~department~~ corporation shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

(5) (intro.) The ~~department~~ corporation shall issue an estimate made:

***-1465/P3.1130* *-0808/2.478* SECTION 3425.** 560.035 of the statutes is renumbered 490.03.

***-1465/P3.1131* *-0808/2.479* SECTION 3426.** 560.036 of the statutes is renumbered 490.04.

***-1465/P3.1132* *-0808/2.480* SECTION 3427.** 560.037 of the statutes is renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is amended to read:

490.06 (1) (intro.) Subject to sub. (3), the department may make grants from the appropriation under s. 20.143 20.165 (1) (fw) to the women's business initiative corporation to fund its operating costs if all of the following apply:

***-1465/P3.1133* *-1059/P3.619* SECTION 3428.** 560.04 of the statutes is repealed.

***-1465/P3.1134* *-1059/P3.620* SECTION 3429.** 560.045 of the statutes is repealed.

1 ***-1465/P3.1135* *-1059/P3.621* SECTION 3430.** 560.047 of the statutes is
2 repealed.

3 ***-1465/P3.1136* *-1059/P3.622* SECTION 3431.** 560.05 of the statutes is
4 repealed.

5 ***-1465/P3.1137* *-1059/P3.623* SECTION 3432.** 560.07 of the statutes is
6 repealed.

7 ***-1465/P3.1138* *-1059/P3.624* SECTION 3433.** 560.075 of the statutes is
8 renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

9 238.12 (2) The department corporation may not award a grant or loan under
10 this chapter to a person or certify a person to receive tax benefits unless the
11 ~~department~~ corporation enters into an agreement with the person that requires the
12 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the
13 grant or loan or being certified to receive tax benefits, the person ceases to conduct
14 in this state the economic activity for which the person received the grant or loan or
15 for which the person was certified to receive tax benefits and commences
16 substantially the same economic activity outside this state.

17 ***-1465/P3.1139* *-1059/P3.625* SECTION 3434.** 560.08 (1), (2) (intro.), (a),
18 (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

19 ***-1465/P3.1140* *-1059/P3.626* SECTION 3435.** 560.08 (2) (m) of the statutes
20 is renumbered 238.26 and amended to read:

21 **238.26 Report to investment board.** No later than September 30 of each
22 even-numbered year, the corporation shall submit to the investment board a report
23 describing the types of investments in businesses in this state ~~which~~ that will have
24 the greatest likelihood of enhancing economic development in this state.

SECTION 3436

1 ***-1465/P3.1141* *-1059/P3.627* SECTION 3436.** 560.081 of the statutes is
2 repealed.

3 ***-1465/P3.1142* *-1059/P3.628* SECTION 3437.** 560.082 of the statutes is
4 repealed.

5 ***-1465/P3.1143* *-1059/P3.629* SECTION 3438.** 560.09 of the statutes is
6 repealed.

7 ***-1465/P3.1144* *-1059/P3.630* SECTION 3439.** 560.097 of the statutes is
8 renumbered 238.15 and amended to read:

9 **238.15 Notification of position openings; compliance.** The department
10 corporation shall monitor compliance with the position-opening notification
11 requirements under ss. 66.1103 (6m) and 106.16.

12 ***-1465/P3.1145* *-1059/P3.631* SECTION 3440.** 560.11 of the statutes is
13 repealed.

14 ***-1465/P3.1146* *-0808/2.481* SECTION 3441.** 560.125 of the statutes is
15 renumbered 101.45, and 101.45 (4) (d) of the statutes, as renumbered, is amended
16 to read:

17 101.45 (4) (d) In any fiscal year, the department may not pay to any one
18 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
19 20.165 (2) (sm) for the fiscal year.

20 ***-0200/P1.1* SECTION 3442.** 560.125 (4) (f) of the statutes is repealed.

21 ***-0201/P1.1* SECTION 3443.** 560.125 (4) (g) of the statutes is repealed.

22 ***-1465/P3.1147* *-1059/P3.632* SECTION 3444.** 560.126 of the statutes is
23 repealed.

24 ***-1224/P2.21* SECTION 3445.** 560.126 (1d) of the statutes is amended to read:

560.126 (1d) In this section, "biorefinery" ~~has the meaning given in s. 16.956~~
(1) ~~(bg) means a facility, including equipment and processes, that converts biomass~~
into fuels and products and may produce electricity.

***-1465/P3.1148* *-1059/P3.633* SECTION 3446.** 560.128 of the statutes is
repealed.

***-1465/P3.1149* *-1059/P3.634* SECTION 3447.** 560.13 (1), (2), (3), (5) and
(6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2)
(a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
~~s. 20.143 (1) (gm) the department~~ The corporation may make a grant to a person if
all of the following apply:

(b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
Cash contributions may be of private or public funds, ~~excluding funds obtained under~~
~~the program under s. 560.17 or under any program under subch. II or V of this~~
~~chapter.~~ In-kind contributions shall be limited to actual remediation services.

(3) (intro.) ~~The department~~ corporation may consider the following criteria in
making awards under this section:

(f) Any other factors considered by the ~~department~~ corporation to be relevant
to assessing the viability and feasibility of the project.

(5) Before the ~~department~~ corporation awards a grant under this section, the
~~department~~ corporation shall consider the recommendations of the department of
administration and the department of natural resources.

***-1465/P3.1150* *-1059/P3.635* SECTION 3448.** 560.13 (4) of the statutes is
repealed.

1 ***-1465/P3.1151* *-1059/P3.636* SECTION 3449.** 560.13 (6) of the statutes is
2 repealed.

3 ***-1465/P3.1152* *-1059/P3.637* SECTION 3450.** 560.138 of the statutes is
4 repealed.

5 ***-1465/P3.1153* *-1059/P3.638* SECTION 3451.** 560.139 of the statutes is
6 repealed.

7 ***-1465/P3.1154* *-1059/P3.639* SECTION 3452.** 560.145 of the statutes is
8 repealed.

9 ***-1465/P3.1155* *-1059/P3.640* SECTION 3453.** 560.15 of the statutes is
10 repealed.

11 ***-1187/P4.531* SECTION 3454.** 560.15 (1) (b) 6. of the statutes is amended to
12 read:

13 560.15 (1) (b) 6. A small business development center of the University of
14 Wisconsin-Madison or University of Wisconsin System.

15 ***-1465/P3.1156* *-1059/P3.641* SECTION 3455.** 560.155 of the statutes is
16 repealed.

17 ***-1465/P3.1157* *-1059/P3.642* SECTION 3456.** 560.157 of the statutes is
18 repealed.

19 ***-1465/P3.1158* *-1059/P3.643* SECTION 3457.** 560.165 of the statutes is
20 repealed.

21 ***-1465/P3.1159* *-1059/P3.644* SECTION 3458.** 560.167 of the statutes is
22 repealed.

23 ***-1465/P3.1160* *-1059/P3.645* SECTION 3459.** 560.17 of the statutes is
24 repealed.

1 ***-1465/P3.1161* *-1059/P3.646* SECTION 3460.** 560.19 of the statutes is
2 repealed.

3 ***-1465/P3.1162* *-1059/P3.647* SECTION 3461.** 560.203 of the statutes is
4 repealed.

5 ***-1465/P3.1163* *-1059/P3.648* SECTION 3462.** 560.204 of the statutes is
6 renumbered 238.14 and amended to read:

7 **238.14 Hardware and software used to maintain medical records. (1)**
8 The ~~department~~ corporation shall implement a program to certify health care
9 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),
10 71.28 (5i), and 71.47 (5i).

11 **(2)** If the ~~department~~ corporation certifies a health care provider under sub.
12 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to
13 the health care provider. The total amount of electronic medical records credits
14 allocated to health care providers in any year may not exceed \$10,000,000.

15 **(3)** The ~~department~~ corporation shall inform the department of revenue of
16 every health care provider certified under sub. (1) and the amount of credits allocated
17 to the health care provider.

18 **(4)** The ~~department~~ corporation, in consultation with the department of
19 revenue, shall ~~promulgate~~ adopt rules to administer this section.

20 ***-1465/P3.1164* *-1059/P3.649* SECTION 3463.** 560.205 of the statutes is
21 renumbered 238.15, and 238.15 (1) (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and
22 b. and (e), as renumbered, are amended to read:

23 **238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.)** The ~~department~~ corporation
24 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
25 business desiring certification shall submit an application to the ~~department~~

1 corporation in each taxable year for which the business desires certification. The
2 business shall specify in its application the investment amount it wishes to raise and
3 the ~~department~~ corporation may certify the business and determine the amount that
4 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~
5 ~~the department, a~~ A business may be certified under this subsection, and may
6 maintain such certification, only if the business satisfies all of the following
7 conditions:

8 (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation
9 shall implement a program to certify investment fund managers for purposes of ss.
10 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
11 certification shall submit an application to the ~~department~~ corporation. The
12 investment fund manager shall specify in the application the investment amount
13 that the manager wishes to raise and the ~~department~~ corporation may certify the
14 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),
15 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
16 fund manager, the ~~department~~ corporation shall consider the investment fund
17 manager's experience in managing venture capital funds, the past performance of
18 investment funds managed by the applicant, the expected level of investment in the
19 investment fund to be managed by the applicant, and any other relevant factors. The
20 ~~department~~ corporation may certify only investment fund managers that commit to
21 consider placing investments in businesses certified under sub. (1).

22 (3) (a) *List of certified businesses and investment fund managers.* The
23 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)
24 and investment fund managers certified under sub. (2) and shall permit public access
25 to the lists through the ~~department's~~ corporation's Internet Web site.

1 (b) *Notification of department of revenue.* The ~~department of commerce~~
2 corporation shall notify the department of revenue of every certification issued under
3 ~~sub.~~ subs. (1) and (2) and the date on which any such certification is revoked or
4 expires.

5 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation
6 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this
7 section. The rules shall further define “bona fide angel investment” for purposes of
8 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under
9 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.
10 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,
11 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years
12 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for
13 calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning
14 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
15 an additional \$250,000 for tax credits that may be claimed for investments in
16 nanotechnology businesses certified under sub. (1). The rules shall also limit the
17 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and
18 76.638 that may be claimed for investments paid to fund managers certified under
19 sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December
20 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar
21 years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for
22 calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning
23 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
24 an additional \$250,000 for tax credits that may be claimed for investments in
25 nanotechnology businesses certified under sub. (1). The rules shall also provide that,

1 for calendar years beginning after December 31, 2007, no person may receive a credit
2 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's
3 investment is kept in a certified business, or with a certified fund manager, for no less
4 than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits
5 under this section that are unused in any calendar year to a person eligible for tax
6 benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

7 1. The ~~department~~ corporation notifies the joint committee on finance in
8 writing of its proposed reallocation.

9 2. a. The cochairpersons of the joint committee on finance fail to notify the
10 ~~department~~ corporation, within 14 working days after the date of the ~~department's~~
11 corporation's notification under subd. 1., that the committee has scheduled a meeting
12 for the purpose of reviewing the proposed reallocation.

13 b. The cochairpersons of the joint committee on finance notify the ~~department~~
14 corporation that the committee has approved the proposed reallocation.

15 (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
16 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person
17 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
18 of ch. 76, if the person receives prior authorization from the investment fund
19 manager and the manager then notifies the ~~department of commerce~~ corporation
20 and the department of revenue of the transfer and submits with the notification a
21 copy of the transfer documents. No person may sell or otherwise transfer a credit as
22 provided in this paragraph more than once in a 12-month period. The ~~department~~
23 corporation may charge any person selling or otherwise transferring a credit under
24 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. The

1 ~~department shall deposit all fees collected under this paragraph in the appropriation~~
2 ~~account under s. 20.143 (1) (gm).~~

3 ***-1465/P3.1165* *-1059/P3.650* SECTION 3464.** 560.2055 (title) and (1) of the
4 statutes are renumbered 238.16 (title) and (1).

5 ***-1465/P3.1166* *-1059/P3.651* SECTION 3465.** 560.2055 (2) of the statutes
6 is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are
7 amended to read:

8 238.16 (2) (intro.) The department corporation may certify a person to receive
9 tax benefits under this section if all of the following apply:

10 (b) The person applies under this section and enters into a contract with the
11 department corporation.

12 ***-1465/P3.1167* *-1059/P3.652* SECTION 3466.** 560.2055 (3) (intro.) and (c)
13 of the statutes are renumbered 238.16 (3) (intro.) and (c) and amended to read:

14 238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.
15 (2) may receive tax benefits under this section if, in each year for which the person
16 claims tax benefits under this section, ~~the person increases net employment in the~~
17 ~~person's business and~~ one of the following apply applies:

18 (c) In a tier I county or municipality or a tier II county or municipality, the
19 person increases net employment in the person's business and improves the
20 job-related skills of any eligible employee, trains any eligible employee on the use
21 of job-related new technologies, or provides job-related training to any eligible
22 employee whose employment with the person represents the employee's first
23 full-time job.

24 ***-1465/P3.1168* *-1059/P3.653* SECTION 3467.** 560.2055 (3) (a) of the
25 statutes is repealed.

1 ***-1465/P3.1169* *-1059/P3.654* SECTION 3468.** 560.2055 (3) (b) of the
2 statutes is repealed.

3 ***-1465/P3.1170* *-1059/P3.655* SECTION 3469.** 560.2055 (4) (title) and (a) of
4 the statutes are renumbered 238.16 (4) (title) and (a).

5 ***-1465/P3.1171* *-1059/P3.656* SECTION 3470.** 560.2055 (4) (b) 1. (intro.) of
6 the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

7 238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified
8 under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10
9 percent of the wages paid by the person to that employee if that employee earned
10 wages in the year for which the tax benefit is claimed equal to one of the following:
11 or \$10,000, whichever is less.

12 ***-1465/P3.1172* *-1059/P3.657* SECTION 3471.** 560.2055 (4) (b) 1. a. and b.
13 of the statutes are repealed.

14 ***-1465/P3.1173* *-1059/P3.658* SECTION 3472.** 560.2055 (4) (b) 2. and (c) of
15 the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

16 238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified
17 under sub. (2) tax benefits in an amount to be determined by the ~~department~~ by rule
18 corporation for costs incurred by the person to undertake the training activities
19 described in sub. (3) (c).

20 (c) Subject to a reallocation by the ~~department~~ corporation pursuant to rules
21 ~~promulgated~~ adopted under s. 560.205 238.215 (3) (d), the ~~department~~ corporation
22 may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

23 ***-1465/P3.1174* *-1059/P3.659* SECTION 3473.** 560.2055 (5) of the statutes
24 is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and
25 1. (intro.), as renumbered, are amended to read:

1 238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~
2 ~~of commerce~~ corporation shall notify the department of revenue when the
3 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

4 (b) The ~~department of commerce~~ corporation shall notify the department of
5 revenue within 30 days of revoking a certification made under sub. (2).

6 (c) The ~~department~~ corporation may require a person to repay any tax benefits
7 the person claims for a year in which the person failed to maintain employment
8 required by an agreement under sub. (2) (b).

9 (d) The ~~department~~ corporation shall determine the maximum amount of the
10 tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business
11 may claim and shall notify the department of revenue of this amount.

12 (e) The ~~department~~ corporation shall annually verify the information
13 submitted to the ~~department~~ corporation by the person claiming tax benefits under
14 ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

15 (f) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the
16 implementation and operation of this section, including rules relating to the
17 following:

18 1. (intro.) The definitions of a tier I county or municipality and a tier II county
19 or municipality. The ~~department~~ corporation may consider all of the following
20 information when establishing the definitions required under this subdivision:

21 ***-1465/P3.1175* *-1059/P3.660* SECTION 3474.** 560.2056 of the statutes is
22 renumbered 238.17 and amended to read:

23 **238.17 Food processing plant and food warehouse investment credit.**

24 (1) The ~~department of commerce~~ corporation shall implement a program to certify

1 taxpayers as eligible for the food processing plant and food warehouse investment
2 credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

3 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
4 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
5 to allocate to that taxpayer. The total amount of food processing plant and food
6 warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not
7 exceed \$600,000 and the total amount of food processing plant and food warehouse
8 investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal
9 year thereafter, may not exceed \$700,000.

10 (3) The ~~department of commerce~~ corporation shall inform the department of
11 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
12 to the taxpayer.

13 (4) The ~~department of commerce~~ corporation, in consultation with the
14 department of revenue, shall promulgate adopt rules to administer this section.

15 *-1465/P3.1176* *-1059/P3.661* SECTION 3475. 560.206 of the statutes is
16 renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

17 41.155 (4) The department of ~~commerce~~ tourism, in consultation with the
18 department of revenue, shall promulgate rules to administer this section.

19 *-1465/P3.1177* *-1059/P3.662* SECTION 3476. 560.207 of the statutes is
20 renumbered 93.535 and amended to read:

21 **93.535 Dairy manufacturing facility investment credit.** (1) The
22 department of ~~commerce~~ shall implement a program to certify taxpayers, including
23 taxpayers who are members of dairy cooperatives, as eligible for the dairy
24 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47
25 (3p).